

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI (Northern (Jackson))**

HOWARD BROWN and)	
BRANDON SIBLEY,)	
)	
Plaintiffs,)	
)	
V.)	Civil Action No. 3:23-cv-0127-DPJ-FKB
)	
CHOCTAW RESORT)	
DEVELOPMENT ENTERPRISE,)	
ET AL.,)	
)	
Defendants.)	
)	

DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR A HEARING

COME NOW all the Defendants herein by and through their counsel of record, and for their Response to Plaintiffs' Motion for a Hearing (Doc. 11) in this case filed June 15, 2023, state as follows:

1. Defendants do not oppose Plaintiffs' request for a hearing with oral argument on Defendants' pending Motion to Dismiss (Doc. 6). Defendants also requested oral argument on that Motion to Dismiss (Doc. 6, p. 1).

2. However, the undisputed facts and the controlling law bearing on this Motion are clear and Defendants understand that the Court may in such circumstances typically rule on this kind of motion without conducting any kind of hearing and also recognize that whether or not to hold a hearing with oral argument in re Defendants' pending Motion to Dismiss is a matter committed to the sound discretion of this Court; hence, Defendants do not take any formal position for or against Plaintiffs' Motion for a Hearing and do not here renew their own prior request for oral argument in that Motion.

Respectfully submitted,

VanAMBERG, ROGERS, YEPa, ABEITA
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed to the Plaintiffs by United States Mail, postage prepaid, on June 26th, 2023, at the addresses listed with the Clerk of the Court.

/s/ C. BRYANT ROGERS
C. BRYANT ROGERS